

1 DAVID W. SHAPIRO (NYSB 2054054)
2 United States Attorney

ORIGINAL
APR - 9 11:26
CLERK OF DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MMC

3
4
5
6
7
8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN FRANCISCO DIVISION

11 **CR • 02 - 0106**

12 UNITED STATES OF AMERICA,

No.

13 Plaintiff,

14 VIOLATIONS: 18 U.S.C. § 1832(a)(3) -
Theft of Trade Secret; 18 U.S.C. §
15 1832(a)(4) - Attempted Theft of Trade
Secret; 18 U.S.C. § 2314 - Interstate
16 Transportation of Stolen Goods

v.

15 TSE THOW SUN,

16 Defendant.

SAN FRANCISCO VENUE

17
18
19 INDICTMENT

20 The Grand Jury charges:

21 COUNT ONE: (18 U.S.C. § 1832(a)(3) - Theft of Trade Secret)

22 On or about a date unknown to the Grand Jury, but no later than March 29, 2002, in the
23 Northern District of California, and elsewhere, defendant

24 TSE THOW SUN

25 did knowingly possess a trade secret, specifically the victim company's call routing
26 infrastructure, that is related to and included in a product that is produced for and placed in
27 interstate and foreign commerce, knowing that this trade secret had been stolen, obtained, and
28 converted without authorization, with the intent to convert the trade secret to the economic

INDICTMENT

benefit of someone other than the owner thereof, and intending and knowing that the offense would injure the owner of the trade secret, in violation of Title 18, United States Code, Section 1832(a)(3).

COUNT TWO: (18 U.S.C. § 1832(a)(4) - Attempted Theft of Trade Secret)

On or about a date unknown to the Grand Jury, but no later than March 29, 2002, in the Northern District of California, and elsewhere, defendant

TSE THOW SUN

did attempt to knowingly possess a trade secret, specifically the victim company's call routing infrastructure, that is related to and included in a product that is produced for and placed in interstate and foreign commerce, knowing that this trade secret had been stolen, obtained, and converted without authorization, with the intent to convert the trade secret to the economic benefit of someone other than the owner thereof, and intending and knowing that the offense would injure the owner of the trade secret, in violation of Title 18, United States Code, Section 1832(a)(4).

///

///

///

///

///

///

///

///

///

///

///

///

///

///

1 COUNT THREE: (18 U.S.C. § 2314 - Interstate Transportation Of Stolen Goods)

2 On or about a date unknown to the Grand Jury, but no later than March 29, 2002, in the
3 Northern District of California, and elsewhere, defendant

4 TSE THOW SUN

5 did transport, transmit, and transfer in interstate commerce goods, wares, and merchandise, with
6 the value of at least \$5,000, to wit: paper documents and electronic documents containing
7 proprietary information including the call routing infrastructure of victim company, knowing the
8 same to have been stolen, converted, and taken by fraud, in violation of Title 18, United States
9 Code, Section 2314.

10

11 DATED:

A TRUE BILL.

12

13

FOREPERSON

14

DAVID W. SHAPIRO
United States Attorney

15

16

J. Douglas Wilson

17

J. DOUGLAS WILSON
Acting Chief, Criminal Division

18

19

(Approved as to form: *Michael J. Malecek*)

20

AUSA Malecek

21

22

23

24

25

26

27

28